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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	CASE NO. S 04-431 GEB
)	
Plaintiff,)	
)	
v.)	STIPULATION AND ORDER
)	TO EXCLUDE TIME
SCOTT K. AKERS,)	
)	
Defendant.)	
)	

The parties stipulate and agree that time beginning May 27, 2005 and extending through June 17, 2005 should be excluded from the calculation of time under the Speedy Trial Act. The parties submit that the ends of justice are served by the Court excluding such time, so that counsel for the defendant may have reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and so that the defendant may have continuity of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). In particular, counsel for the defendant needs more time to evaluate a possible plea disposition and discuss it with the defendant. Only at this time is counsel for the defendant in a position to discuss those documents with the defendant. The parties stipulate and agree that the interests of justice served by

1 granting this continuance outweigh the best interests of the
2 public and the defendant in a speedy trial. 18 U.S.C. §
3 3161(h)(8)(A).

4
5 Respectfully Submitted,

6 MCGREGOR W. SCOTT
7 United States Attorney

8 DATE: May 31, 2005

9 By: /s/ Matt Segal
10 MATTHEW D. SEGAL
11 Assistant U.S. Attorney

12 DATE: May 31, 2005

13 /s/ Joseph J. Wiseman by MDS
14 JOSEPH J. WISEMAN

15 **SO ORDERED.**

16 Dated: May 31, 2005

17 /s/ Garland E. Burrell, Jr.
18 GARLAND E. BURRELL, JR.
19 United States District Judge
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